

EXHIBIT H

AFFIDAVIT OF DR. DAVID SAVITZ, Ph.D.

STATE OF RHODE ISLAND)
) **SS**
COUNTY OF PROVIDENCE)

DAVID SAVITZ, being of lawful age and capacity, states the following based on first-hand personal knowledge:

1. I am a Professor of Epidemiology at the School of Public Health at Brown University in Providence, Rhode Island. After obtaining my undergraduate degree at Brandeis University in 1975, I studied at The Ohio State University College of Medicine, obtained a Masters degree from Ohio State in 1978, and then obtained a Ph.D. in epidemiology from the University of Pittsburgh in 1982.

2. I was one of the three members of the former C-8 Science Panel ("Science Panel"), which was formed as part of the settlement of the *Leach* lawsuit in West Virginia state court. The Science Panel's work began in 2005, and ended in 2013, when the Science Panel was disbanded.

3. As of 2005, when the Science Panel started its work, it was not known whether there was or was not a Probable Link between C-8 and any human disease. The Science panel issued the Probable Link report on cancer in 2012.

4. The Science Panel evaluated whether there were trends of increasing amounts of disease with increasing amounts of exposure to and blood levels of C-8, and found that the amount of risk of disease varied among the class members. The Science Panel was not asked to and did not address the question of whether every class member was at the same amount of increased risk for any disease.

5. The Science Panel was not asked to and did not address the question of whether exposure to 0.05 ppb of C-8 in drinking water for one year or more was capable

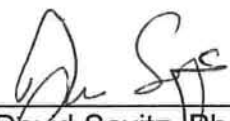
of causing cancer in humans. The Science Panel did not determine any threshold amount of exposure or dose of C-8 that would be sufficient to cause any disease—including cancer. The Science Panel was not asked to and did not address the question of whether there was any increased risk of cancer from exposure to 0.05 ppb in drinking water. It was not the Science Panel's assignment to make these determinations, and the available data did not permit determining a threshold level above which harm would or could result.

6. There was a very wide range of exposures and blood levels of C-8 among the workers and the community members studied by the Science Panel. The Science Panel was not asked to and did not address the question of whether every class member had a sufficient exposure to or dose of C-8 to cause every Probable Link disease, and was not asked to and did not address the question of whether every class member had a sufficient exposure to or dose of C-8 to cause kidney cancer or testicular cancer.

7. The Science Panel made its determinations using a Probable Link standard. Probable Link was defined as: "based upon the weight of the available scientific evidence, it is more likely than not that there is a link between exposure to C-8 and a particular Human Disease among Class Members." The Science Panel's determinations were based on "among" meaning "somewhere within" the entire group of class members. The Science Panel was not asked to and did not address the question of whether if any individual in the class developed a Probable Link disease, for example kidney cancer or testicular cancer, that it was more likely than not that that specific individual's cancer was caused by C-8, nor that it was more likely than not that there is a link between that individual's exposure to C-8 and that individual's cancer. The Science Panel was not asked to and did not address the question of whether it was more likely than not that there is a link between each member of the Leach class' C-8 exposure or dose and his or her

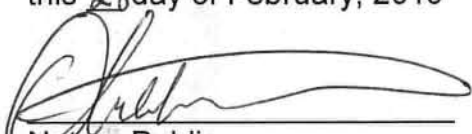
linked disease, if any. The Science Panel was not asked to and did not determine specific causation for any individual.

FURTHER AFFIANT SAYETH NAUGHT.



David Savitz, Ph.D.

Subscribed and sworn to before me
this 28 day of February, 2019



Notary Public

OLALEKAN D. FAMODIMU
Notary Public, State of Rhode Island
My Commission Expires Oct. 29, 2022